

In item (2) of this section, the term "unlawfully ... obtained" is substituted for the term "illegally ... obtained" to eliminate redundancy and to conform with the terminology used in this section.

8-404. OPERATING NURSING HOME WITHOUT LICENSED NURSING HOME ADMINISTRATOR.

EXCEPT WHEN A NURSING HOME ADMINISTRATOR IS REMOVED FROM THE POSITION BY DEATH OR FOR ANY OTHER UNEXPECTED CAUSE AS PROVIDED IN § 8-301 OF THIS TITLE, A NURSING HOME MAY NOT BE OPERATED UNLESS IT IS UNDER THE SUPERVISION OF A LICENSED NURSING HOME ADMINISTRATOR.

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence of Art. 43, § 768.

The introductory exception is added to conform to the scope exception in present Art. 43, § 777, which now appears in § 8-301 of this title.

The present reference to an individual being licensed and "registered" is deleted to conform with changes in terminology made throughout this title. See the General Revisor's Note to this title.

The attention of the General Assembly is called to the fact that by using the term "nursing home" as defined in § 8-101 of this title, the potential application of this section is narrowed. For a more detailed explanation, see the revisor's note to the definition of "nursing home" in § 8-101 of this title.

8-405. RESERVED.

8-406. RESERVED.

8-407. PENALTIES.

A PERSON WHO VIOLATES ANY PROVISION OF THIS TITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

(1) A FINE NOT EXCEEDING \$100 FOR A FIRST OFFENSE; AND

(2) A FINE NOT EXCEEDING \$500 OR IMPRISONMENT NOT EXCEEDING 6 MONTHS OR BOTH FOR ANY SUBSEQUENT VIOLATION OF THE SAME PROVISION.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 43, § 776(a)(4) and (b).